

RE: Melendez - Follow-up on Assent LTA / Motion to Extend

Manousos Gregory <GManousos@morganbrown.com>

Tue 10/3/2023 10:38 AM

To: Michael Melendez <Michael.Melendez@law.unh.edu>; Collins, Jeffrey <jcollins@morganbrown.com>

Cc: Manousos Gregory <GManousos@morganbrown.com>

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Mr. Melendez,

Apologies for not responding to your September 27 email – it went into my spam folder for some reason, but I got your email from yesterday afternoon.

Defendants do not assent to a Motion for Leave to Amend to file a Second Amended Complaint, as we do not believe there is any valid factual or legal basis for the proposed amended claims and parties. We will, however, assent to an extension of time on your opposition to Defendants' Motion to Dismiss the First Amended Complaint, until such time as the Court rules on the proposed Motion to Amend and we have a final operative Complaint in place.

In addition, we will be filing a motion with the court seeking to have a status conference to discuss the status of this case and the pending motions – please let me know if you will join that motion or assent to it. Thanks.

Greg

Gregory A. Manousos (he/him)



E gmanousos@morganbrown.com

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morganbrown.com

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From: Michael Melendez <Michael.Melendez@law.unh.edu>

Sent: Monday, October 2, 2023 1:15 PM

To: Manousos Gregory <GManousos@morganbrown.com>; Collins, Jeffrey <jcollins@morganbrown.com>

Subject: Melendez - Follow-up on Assent LTA / Motion to Extend

Mr. Manousos,

I am following up on whether you will assent to a Leave of Absence, so I may cure any state law deficiencies and amend my current Federal complaint. I intend on proceeding with my filings tomorrow. I have included the original email below.

Furthermore, would you assent to a time extension on the motion to dismiss response until the judge makes a ruling on the Leave to Amend? Thank you.

Very Respectfully,
Michael Melendez

From: Michael Melendez <Michael.Melendez@law.unh.edu>
Sent: Wednesday, September 27, 2023 7:00 PM
To: Manousos Gregory <GManousos@morganbrown.com>
Subject: Melendez - Leave to Amend (Second)

Mr. Manousos,

Attached is my Second Amended Complaint I intend to file. Will you assent to a Leave to Amend, so I may cure any state law deficiencies and amend the current federal complaint? Thank you.

Very Respectfully,
Michael Melendez

Melendez - Dissent to Motions

Michael Melendez <Michael.Melendez@law.unh.edu>

Wed 10/4/2023 8:45 AM

To: Manousos Gregory <GManousos@morganbrown.com>; Collins, Jeffrey <jcollins@morganbrown.com>

Mr. Manousos,

Your request for assent/dissent is premature at this time for the following reasons:

1) The motions you are challenging are not yet filed in the court's system. As a layman, I must file by post mail. I must ensure my obligations to the court are fulfilled prior to proceeding with the next phase.

2) Furthermore, your request is quite vague. It doesn't contain sufficient information necessary for me to understand specifically what you would like to address at the hearing.

For these stated reasons, I must dissent at this time. Thank you.

Very Respectfully,
Michael Melendez

From: Manousos Gregory <GManousos@morganbrown.com>

Sent: Tuesday, October 3, 2023 10:38 AM

To: Michael Melendez <Michael.Melendez@law.unh.edu>; Collins, Jeffrey <jcollins@morganbrown.com>

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In addition, we will be filing a motion with the court seeking to have a status conference to discuss the status of this case and the pending motions – please let me know if you will join that motion or assent to it. Thanks.

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From: Michael Melendez <Michael.Melendez@law.unh.edu>

Sent: Wednesday, September 27, 2023 7:00 PM

To: Manousos Gregory <GManousos@morganbrown.com>

Subject: Melendez - Leave to Amend (Second)

Mr. Manousos,

Attached is my Second Amended Complaint I intend to file. Will you assent to a Leave to Amend, so I may cure any state law deficiencies and amend the current federal complaint? Thank you.

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Michael Melendez

RE: Melendez - Dissent to Motions

Manousos Gregory <GManousos@morganbrown.com>

Wed 10/4/2023 9:09 AM

To: Michael Melendez <Michael.Melendez@law.unh.edu>

Cc: Manousos Gregory <GManousos@morganbrown.com>; Asarese, Jenna <jasarese@morganbrown.com>

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Good morning,

Yes, I will wait until your new pleadings are filed on the docket – I understand you just mailed them yesterday. The reason we are seeking the status conference is because we believe the judge needs to be aware that you have filed a nearly 3000 paragraph Second Amended Complaint comprising over 320 pages. This is highly unusual, and from Defendants' perspective, entirely unwarranted. We believe the Court needs to place appropriate limits on the proper scope of this case from the outset. You certainly have the right to pursue legal claims, but from our perspective the approach that is being taken is not appropriate and requires court oversight.

Please advise as to whether you assent to a motion to have a status conference to discuss these issues. I would respectfully suggest that it will benefit both parties to have some clear guidance from the court on these issues.

I have cc'd my colleague, Jenna Asarese, who will be working with me on the case.

Thank you,

Greg Manousos

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From: Michael Melendez <Michael.Melendez@law.unh.edu>

Sent: Wednesday, October 4, 2023 8:46 AM

To: Manousos Gregory <GManousos@morganbrown.com>; Collins, Jeffrey <jcollins@morganbrown.com>

Subject: Melendez - Dissent to Motions

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